

Serial No. 09/751,520

Docket No. GTW-0103(P1651US00)**REMARKS**

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks. The Applicants wish to express their appreciation to Examiner Tran for the courtesy and consideration shown during the Telephone Interview of November 5, 2008. A Telephone Interview Summary is being filed in conjunction with this paper.

In this Amendment claims 44, 53, 58, 63 and 67 are amended, claims 71-80 are added, and no claims are canceled (claims 1-43 were previously canceled). As a result, claims 44-80 are now pending in the application. Support for the newly added claims can be found throughout the disclosure, for example, at pages 5-6 of the specification and Figures 1-3.

In the final Office Action of July 23, 2008 claims 44-49 and 52-70 are rejected under 35 U.S.C. §103(a) in view of U.S. Patent 6,288,716 (Humpleman) further in view of U.S. Patent 6,133,847 (Yang). Claims 50-51 are rejected under 35 U.S.C. §103(a) in view of Humpleman further in view of Yang in view of an allegation of a feature being known in the art at the time of applicant's invention.

§103 Rejection in view of Humpleman / Yang

The §103 rejections of claims 44-70 in view of the Humpleman / Yang hypothetical combination is obviated by the present claim amendments. It is believed the Humpleman / Yang

Serial No. 09/751,520

Docket No. GTW-0103(P1651US00)

hypothetical combination does not teach or suggest the features of the pending claims for at least the reasons discussed below.

The present invention involves the creation of a user interface for an information appliance so that a remote device can be controlled from the information appliance. The "thin information appliance" recited in the claims may be a consumer electronic device such as PDA 402 of Figure 4, or other such device. Examples of a "remote device" as recited in the claims include a digital video camera, music player, home heating system, computer, security system, television and media device, home lighting system or other like systems controllable by a user as shown in Figure 4. Various embodiments of the claimed invention avoid the need to download and store an entire user interface into the thin information appliance since the user interface is created from a user interface template previously stored in the device. Creating the user interface from a user interface template can be advantageous for thin information appliances with limited processing and storage capabilities.

It is respectfully submitted that the Humpleman patent does not teach or suggest the features of the claimed invention mentioned below because Humpleman downloads an entire user interface rather than only sending interface data. Since Humpleman sends the entire user interface rather than only sending user interface data, the Humpleman patent does not teach or suggest these features of claim 44, or the similar features recited in other claims:

- initiating a connection between the thin information appliance and the remote device to supply the user interface data for use with the user interface template in creating the user interface, **said user interface template being stored in the thin information appliance prior to the initiation of said connection (claim 44, emphasis added).**

Serial No. 09/751,520

Docket No. GTW-0103(P1651US00)

- determining functions available in the user interface template that correspond to each of the plurality of remote device functions described by the user interface data and creating the user interface from the user interface template by programming each of the assigned plurality of representations to respectively control its corresponding one of the plurality of remote device functions (claim 44).
- creating the user interface from the user interface template *stored in the thin information appliance prior to the initiation of said connection* (claim 44).

The Office Action acknowledges that Humpleman does not teach an information appliance with limited processing and storage capabilities. Therefore, the Office Action incorporates the Yang patent into the rejection to purportedly show a thin information appliance. As such, it is respectfully submitted that Yang does not overcome the deficiencies of Humpleman.

In the event the rejection is maintained, it is respectfully requested that the next official paper from the Office explain how either Humpleman or Yang can be construed to teach or suggest sending user interface data from the remote device to the thin information appliance create a user interface from the user interface template by programming a representation (e.g., icon) of the information appliance to control a function of the remote device, wherein the user interface data is data to be used in programming the information appliance but is not itself a whole user interface file.

Serial No. 09/751,520

Docket No. GTW-0103(P1651US00)*Deposit Account Authorization / Provisional Time Extension Petition*

It is believed that the accompanying Petition for a One-Month Extension of Time is sufficient for this filing, and the accompanying RCE Transmittal attends to the appropriate fees. However, to the extent necessary, a Provisional Petition for an Extension of Time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571)748-6200 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Scott Charles Richardson
Reg. No. 43,436

The Brevetto Law Group, PLLC
838 Maine Street
Quincy, Illinois 62301

Date: November 20, 2008